

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

LILLIAN BERNIER,

Plaintiff,

V.

Civil Action No. 1:23-cv-00523

TURBOCAM, INC., HEALTH PLANS, INC., &
HARVARD PILGRIM HEALTH CARE OF
NEW ENGLAND, INC.

Defendants.

**ASSENTED-TO MOTION TO EXTEND DATE FOR FILING DISCOVERY PLAN
FROM JUNE 4 TO JUNE 6**

Defendants Health Plans, Inc. (“HPI”) and Harvard Pilgrim Health Care of New England, Inc. (“HPHC”), by undersigned counsel, submit this assented-to motion to extend from June 4, 2024, to June 6, 2024, the date by which the parties must file their discovery plans. As noted, all parties assent to this motion. As grounds for this motion, undersigned states as follows:

1. By order dated May 9, 2024, the Court scheduled a pre-trial conference for June 11, 2024, at 10:30 am.
2. The Court in that Order directed that “[f]ollow up on Discovery Plan” was due June 4, 2024.
3. The plaintiff provided an initial proposal for the discovery plan, which Turbocam revised on May 9, 2024. The parties engaged in the required meet and confer on May 15, 2024.

4. Although there are some areas of disagreement among the parties as to the most efficient and effective discovery plan, the parties wish to narrow those areas in their filing or filings to the Court to the extent possible and seek additional time in which to do so.

5. Defendants, based on that lengthy conference, have been working on an alternative discovery plan. The parties have agreed that Turbocam, HPI and HPHC will get their proposals to plaintiff by close of business on May 31, 2024.

6. Further, Defendants wish to give plaintiff sufficient time to respond to that revised proposal before submitting a plan or plans to the Court.

7. Furthermore, although diligent efforts have been made to meet the original deadline, these efforts have been slowed somewhat by undersigned's efforts to consider and draft a proposal as well as the additional time involved in seeking input from its two clients and their constituents.

8. Defendants therefore request and additional two days, from June 4, to June 6, 2024, for the parties to submit a discovery plan. Defendants are not requesting a change to the June 11, 2024 pretrial conference.

9. As noted above, counsel for plaintiff and defendant Turbocam assent to the relief requested in this motion.

10. Defendants respectfully submit that no memorandum of law in support of this motion is required as the issue is within the discretion of the Court.

11. Pursuant to Local Rule 7.2(a), defendants state that the requested extension would not result in the continuance of any hearing, conference or trial, unless the Court sees it appropriate to defer the currently scheduled preliminary conference schedule for June 11, 2024.

WHEREFORE, defendants HPI and HPHC request that the Court:

- A. Grant this motion and allow the parties to file discover plans on or before June 6, 2024; and
- B. Grant such other and further relief as is just and proper.

Respectfully submitted,

HEALTH PLANS, INC., & HARVARD
PILGRIM HEALTH CARE OF
NEW ENGLAND, INC.

By its attorneys,

May 30, 2024

/s/ Kathleen M. Mahan
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CERTIFICATE OF SERVICE

I hereby certify that on this date, I electronically filed the foregoing document using CM/ECF system, which will send notification of such filing(s) to all those registered with the ECF system.

/s/ Kathleen Mahan
Kathleen Mahan, Esq.